



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, August 4, 2020, 3:30 p.m.

Conducted by Electronic/Telephonic Means

Official Recording of Meeting will be available on
City Council's Website

https://www.memphistn.gov/government/city_council

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (July 21, 2020)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS (None)

COMMUNITY ORGANIZATION SPOTLIGHT (None)

PUBLIC HEARINGS

1. RESOLUTION approving a planned development appeal located at the Southwest corner of Quince Road and Lynnfield Road, containing 4.20 acres currently governed by Quince/Lynnfield Planned Development (PD 99-362). This resolution is sponsored by the Office of Planning and Development. (Held from 7/21)
Colvett
Chairman,
Planning &
Zoning
Committee
Case No. PD 99-362

Appellant: Balmoral Neighborhood Association
Appellee: SE Industrial Investments, LLC

Request: Appeal the decision of the Land Use Control Board for a Major Modification approved on February 13th, 2020 to allow a three (3) story office building with associated accessory uses

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

40 NOTICES WERE MAILED ON JULY 10, 2020

2.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a planned development appeal located East of 2324 Germantown Parkway, behind the Shogun restaurant, containing +/-3.368 acres PD 93-328 approved conditions; regulated more recently by PD 97-364. This resolution is sponsored by the Office of Planning and Development.

Case No. PD 93-328

Appellant: Ralph Fagan

Request: Overturn a decision of the Land Use Control Board

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

9 NOTICES WERE MAILED ON JULY 27, 2020

3.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving street/alley closures located North of Ketchum Road, East of Imogene Street, South of Dwight Road, and West of Pendleton Street in the Residential Single-Family – 6 (R-6) and Residential Urban – 1 (RU-1) Districts. This resolution is sponsored by the Office of Planning and Development.

Case Nos. SAC 20-03,
SAC 20-04, SAC 20-05,
SAC 20-06, SAC 20-07,
SAC 20-08, SAC 20-09,
SAC 20-10, SAC 20-11,
SAC 20-12, SAC 20-13,
SAC 20-14, SAC 20-15
and SAC 20-16

Applicant: Memphis Shelby County Airport Authority/ Ketchum Airport Investors, LLC – Bradleigh Kaaber
Brittenuum Law, PLLC – Dedrick Brittenuum, Jr (Representative)

Request: Close and vacate the following public rights-of-way within the subject property: Crosby Street, Barrymore Street, Dawnwood

Cove, Judith Cove, Long Street, Jolson Avenue, Canter Avenue, Labelle Street, Lola Avenue, Byrd Avenue, Durby Street, Alvin Street, Stanfill Avenue, and Nott Avenue

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

- 4. RESOLUTION approving a special use permit located at 3240 North Watkins Street and 1812 Thrift Avenue, containing 0.4 acres in the Commercial Mixed Use-1 District. This resolution is sponsored by the Office of Planning and Development.

Colvett
Chairman,
Planning &
Zoning Committee

Case No. SUP 19-29

Applicant: Otubo Godfrey
Mahmoud Ghassemi of Ghassemi and Assoc., LLC (Representative)

Request: Special use permit for vehicle sales

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

61 NOTICES WERE MAILED ON JULY 24, 2020

DIVISION OF PLANNING AND DEVELOPMENT

- 5. RESOLUTION approving a planned development located at 3206 Broad Avenue, 602 Malcomb Street, 606 Malcomb Street, 610 Malcomb Street and 3195 Summer Avenue, containing 0.6 acre and 2.3 acres in the Commercial Mixed Use -1 District. This resolution is sponsored by the Office of Planning and Development.

Colvett
Chairman,
Planning &
Zoning
Committee

Case No. PD 20-5

Applicant: Alliance Health Services
Tim McCaskill of McCaskill and Associates, Inc. – Representative

Request: Planned development to permit a social service institution

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCES- THIRD AND FINAL READING

6.
Colvett
Chairman,
Planning &
Zoning
Committee

ORDINANCE rezoning 4195 E. Shelby Drive, containing +/-30.016 acres in the Conservation Agriculture (CA) District, up for T H I R D and F I N A L reading. This ordinance is sponsored by the Office of Planning and Development.

Case No. Z 20-01
Ordinance No. 5753

Applicant: CLP, LLC
Cindy Reaves, SR Consulting – Representative

Request: Employment (EMP)

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

30 NOTICES WERE MAILED ON JULY 24, 2020

7.
Colvett
Chairman,
Planning &
Zoning
Committee

ORDINANCE rezoning the Northwest corner of East Holmes Road and Malone Road; containing 40.80 acres in the Conservation Agriculture (CA) and Conservation Agriculture Flood Plain (CA{FP}) Districts, up for T H I R D and F I N A L reading. This ordinance is sponsored by the Office of Planning and Development.

Case No. Z 20-02
Ordinance No. 5754

Applicant: Alice Langford, et al/PDC, TN/FL, LLC
The Reaves Firm, Inc. – Representative

Request: Employment (EMP) & Employment Flood Plain (EMP{FP})
Districts

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

28 NOTICES WERE MAILED ON JULY 24, 2020

8.
Colvett
Chairman,
Planning &
Zoning
Committee

ORDINANCE rezoning north of Ketchum Road, east of Imogene Street, south of Dwight Road, and west of Pendleton Street; containing +/-66 acres in the Residential Single-Family -6 (R-6) and Residential Urban -1 (RU-1) Districts, up for T H I R D and F I N A L reading. This ordinance is sponsored by the Office of Planning and Development.

Case No. Z 20-03
Ordinance No. 5755

Applicant: Memphis Shelby County Airport Authority/Ketchum Airport
Investors, LLC – Bradleigh Kaaber
Brittenuum Law, PLLC – Dedrick Brittenuum Jr. – Representative

Request: Employment (EMP)

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

231 NOTICES WERE MAILED ON JULY 24, 2020



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CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING

9. **ORDINANCE** amending Chapter 2, Article I, Section 2-10-10, Subsection B, to require the Board of Ethics to establish an online portal to require Lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis, up for F I R S T reading. Ordinance No. 5752 is sponsored by Councilman Morgan and Councilman Carlisle. (Held from 6/16; 7/7;7/21)
- Canale
Chairman,
Government
Affairs &
Annexation
Committee

ACTION REQUESTED: No recommendation

10. **ORDINANCE** amending Chapters 2 and 12 of the City of Memphis, Code of Ordinances so as to update the Code of Ordinances related to street, park and place names up for F I R S T reading. Ordinance No. 5759 is sponsored by Councilwoman Easter-Thomas.
- Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General Services
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

11. **ORDINANCE** amending Chapter 30, Article III of the Code of Ordinances, City of Memphis, by amending the last paragraph in Section 30-39, as it now appears and substituting a new paragraph of Section 30-39, to require persons eligible for the Police Reserve Program be reviewed by internal audit annually and shall require documentation of the number of duty hours worked annually, up for F I R S T reading. Ordinance No. 5760 is sponsored by Councilman Carlisle.
- Carlisle
Chairman,
Personnel
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCES – FIRST READING (None)

ZONING ORDINANCES - SECOND READING

12. **ORDINANCE** rezoning certain parcels adjacent to Lamar between Bellevue and Prescott, in the Commercial Mixed Use-3 District, up for S E C O N D reading. This ordinance is sponsored by the Office of Planning and Development.

Colvett
Chairman,
Planning &
Zoning
Committee

Case No. Z 20-04
Ordinance No. 5757

Applicant: Memphis Office of Comprehensive Planning
Ashley Cash – Representative

Request: Comprehensive Rezoning of Lamar between Bellevue and

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

13. **ORDINANCE** rezoning the Southwest corner of E. Shelby Drive and Malone Road, containing 10.04 acres in the Conservation Agriculture (CA) and Commercial Mixed Use (CMU-1) Districts, up for S E C O N D reading. This ordinance is sponsored by the Office of Planning and Development.

Colvett
Chairman,
Planning &
Zoning
Committee

Case No. Z 20-06
Ordinance No. 5758

Applicant: Galaxy Development Corporation
Prime Development Group, Inc. (PDG, Inc.) – Representative

Request: Employment (EMP) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

NOTATIONS FROM OPD

14. **NOTATIONS** from the Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

A. Case No. PD 20-01 – BARKSDALE PLANNED DEVELOPMENT

Located at 883 South Barksdale Street (southwest corner of Barksdale and Nelson), containing +/-9,540 square feet in the Residential Single-Family -6 (R-6) District

Applicant: Ahmed Saffarini/Wasif Dewik
Neeraj Kumar – Representative

Request: Four-unit townhouse structure

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. PD 20-04 – WHITEHAVEN WORKS AT GRAVES ELEMENTARY
PLANNED DEVELOPMENT

Located at 3398 Graves Road (north of Winchester, east of Graves and west of McCorkle), containing +/-9.814 acres in the Residential Single – Family -10 (R-10) District

Applicant: Shelby County Board of Education/Made in Memphis. LLC
Glankler Brown, PLLC – R. Hunter Humphreys and Mart T. Jobe Jr. – Representative

Request: Limited light industrial uses with the intent of operating a 3D printing and production operation which would create customizable jewelry, collectibles and other memorabilia with an ancillary vocational/technical training facility

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: August 18, 2020

ENGINEERING DIVISION

15. RESOLUTION accepting UPTOWN REDEVELOPMENT ALLEY IMPROVEMENTS V and authorizing release of bond.

Resolution approves accepting the public improvements with the City of Memphis as shown on the engineering plans located between N. Front Street and N. Seventh Street, north of Chelsea Avenue in the City of Memphis, Tennessee. Resolution also authorizes the release of Performance Bond No. SU1147366 in the amount of \$372,700.00 held as security for the standard improvement contract.

ACTION REQUESTED: Adopt the resolution



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FISCAL CONSENT AGENDA

16. RESOLUTION to accept and appropriate grant funds \$ 752,786.00, FY2021 Operating Budget, from the Shelby County Sheriff's Office for the Federal Operation Relentless Pursuit program coordinated through the Office of the US Attorney General for the Western District of Tennessee (G011) All Council Districts. This resolution is sponsored by Police Services. **(Request for same night minutes)**
17. RESOLUTION to accept a donation of \$ 4,000.00 from Indian American Lodging Association, to help fund police operational activities. (T-221toT-225) All Council Districts-. This resolution is sponsored by Police Services. **(Request for same night minutes)**
18. RESOLUTION to accept a pellet grill valued at \$ 800.00 for Fire Station 39, from Abundant Grace Fellowship Church, Pastor Dwayne Hunt. (G012) Council District 6, Super District 8. This resolution is sponsored by Fire Services. **(Request for same night minutes)**
19. RESOLUTION to accept and appropriate \$ 6,118.27, from CARES Act Provider Relief Fund through US Department of Health and Human Services, to Fire Services for prevention, preparation and response to Coronavirus. (G013) All Council Districts. This resolution is sponsored by Fire Services. **(Request for same night minutes)**



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MLGW FISCAL CONSENT

20. RESOLUTION awarding Contract No. 12212, Job Evaluation Manager Subscription to Korn Ferry in the funded not-to-exceed amount of \$318,195.00.
21. RESOLUTION approving after the fact of Purchase Order Number 7020272 to S. J. Patterson Company for a gas tapping machine on emergency basis, in the amount of \$74,058.78.
22. RESOLUTION approving Change No. 1 to Contract No. 11932, Cellular Communication Services and Devices with AT&T Mobility, in the funded amount of \$806,400.00. (This change is to renew the current contract for a 24- month term for the period covering October 3, 2020 through October 2, 2022 in the funded amount of \$806,400.00, with no increase in rates from the initial term.)
23. RESOLUTION approving Change No. 5 to Contract No. 11427, Audiology Recorders Upgrade with Carolina Recording System, in the funded amount of \$49,782.90. (This change is to extend the current contract for one year covering the period of November 1, 2020 through October 31, 2021 in the funded amount, with a 1% increase in rates due to inflation.)
24. RESOLUTION approving Change No. 1 to Contract No. 12017, Security Automation Installation and Service Agreement with Access Control Integration, Inc., in the funded amount of \$100,000.00. (This change is to ratify and renew the current contract for the first of three additional one-year terms covering the period of July 10, 2020 through July 9, 2021. This renewal also include changes in the product line due to discontinued products by the manufactures.)



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REGULAR AGENDA

GENERAL ORDINANCE – THIRD AND FINAL READING

25. **ORDINANCE** rescinding Referendum Ordinance No. 5744 Amending Article 27, Section 190 of the Charter of the City of Memphis, Same Being Chapter 11 of the Acts of 1879, as amended, and relative to amendments thereto Pursuant to the Provisions of Article 11, Section 9 of the Constitution of the State of Tennessee (Home Rule Amendment) to allow specified personnel employed with the Divisions of Police and Fire Services to reside within 50 miles from the City of Memphis, up for T H I R D and F I N A L reading. Ordinance No. 5756 is sponsored by Councilwoman Easter-Thomas.

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION

26. **RESOLUTION** appropriating \$450,000.00 in funds for EN0114-Traffic Signal Furniture, Fixtures and Equipment (FY21) for Emergency Maintenance and Construction. This resolution is sponsored by Engineering Division.

Smiley
Chairman,
Public Works,
Solid Waste,
Transportation
& General Services
Committee

ACTION REQUESTED: Adopt the resolution

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

27. RESOLUTION to transfer an allocation and appropriation of \$31,180.00 from Crenshaw Easter-Thomas Library CD01098 to Raleigh Mall Redevelopment CD01092 and appropriate funds. This resolution is sponsored by Housing and Community Development.

Chairman,
Public Services,
Arts,
Youth Initiatives,
Libraries &
Neighborhoods
Committee

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION transferring \$500,000.00 from the New Frayser Library LI01030 to the Raleigh Mall Redevelopment CD01092 and appropriate funds. This resolution is sponsored by Housing and Community Development.

Chairman,
Public Services,
Arts,
Youth Initiatives,
Libraries &
Neighborhoods
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT